

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

LEONARD R. CANADAY, JR.,

§

*Plaintiff,*

§

VS.

§

Case No. 4:13-CV-324

WELLS FARGO BANK, N.A.,

§

*Defendant.*

§

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 14, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (Dkt. 8) should be GRANTED and that Plaintiff's claims in this case should be dismissed with prejudice for failure to state a claim.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (Dkt. 8) is GRANTED and Plaintiff's claims are dismissed with prejudice.

**IT IS SO ORDERED.**

**SIGNED this the 28th day of March, 2014.**

  
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RICHARD A. SCELL  
UNITED STATES DISTRICT JUDGE